

Chapter 296-400A WAC

((~~CERTIFICATION OF COMPETENCY FOR JOURNEYMAN~~)) PLUMBER((~~\$~~)) CERTIFICATION RULES

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-005 What definitions do I need to know to understand these rules? Unless a different meaning is clearly required by the context, the following terms and definitions are important:

"**Advisory board**" is the state advisory board of plumbers.

"**Backflow assembly**" or "**backflow prevention assembly**" or "**backflow preventer**" is a device as described in the Uniform Plumbing Code that is used to prevent the undesirable reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

"**Backflow assembly tester**" is an individual certified by the department of health to perform tests to backflow assemblies.

"**Continuity affidavit**" is a form developed by the department that is used to verify whether medical gas pipe installation work has been performed. This form is provided to the department annually by the person holding the medical gas piping installer endorsement and requires the signature of the employer of the medical gas piping installer.

"**Plumbing contractor**" means any person, corporate or otherwise, who engages in, or offers or advertises to engage in, any work covered by the provisions of chapter 18.106 RCW and these rules by way of trade or business, or any person, corporate or otherwise, who employs anyone, or offers or advertises to employ anyone, to engage in any work covered by the provisions of chapter 18.106 RCW and these rules.

"**Department**" is the department of labor and industries.

"**Director**" is the director of the department of labor and industries.

"**Journeyman plumber**" is anyone who has learned the commercial plumbing trade and has been issued a journeyman certificate of competency by the department. A journeyman plumber may work on plumbing projects including residential, commercial and industrial worksite locations.

"**Medical gas piping installer**" is anyone who has been issued a medical gas piping installer endorsement of competency by the department.

"**Medical gas piping systems**" are piping systems that convey or involve oxygen, nitrous oxide, high pressure nitrogen, medical compressed air and medical vacuum systems.

"**Plumbing**" is that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems and medical gas piping systems within a building. The installation of water softening or water treatment equipment into a water system is not considered plumbing.

"**Specialty plumber**" is anyone who has been issued a specialty plumbers certificate of competency by the department(~~(.--- Specialty plumber certificates are))~~) limited to ((~~the~~)):

(a) Installation, maintenance and repair of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three

stories; or

(b) Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" include cleaning and replacing internal parts of an assembly, but do not include installing or replacing backflow assemblies.

"Supervision" for the purpose of these rules means within sight or sound. Supervision requirements are met when the supervising plumber is on the premises and within sight or sound of the individual who is being trained.

"Training course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide medical gas piping installer or backflow assembly maintenance and repair training. All training course providers must comply with the requirements in WAC 296-400A-026.

"Trainee plumber" is anyone who has been issued a trainee certificate and is learning or being trained in the plumbing trade with direct supervision of either a journeyman plumber or specialty plumber working in their specialty.

AMENDATORY SECTION (Amending WSR 97-11-052, filed 5/20/97, effective 6/30/97)

WAC 296-400A-020 How do I obtain a certificate of competency? You can obtain a certificate of competency by completing the following requirements for:

(1) Journeyman and specialty plumber certificate (excluding backflow assembly maintenance and repair specialty certification):

(a) Submitting a competency examination application to the department;
~~((and~~

~~(2)))~~ (b) Paying the examination fee shown in WAC 296-400A-045(1);
~~((and~~

~~(3)))~~ (c) Submitting the required evidence of competency and experience to the department as required under WAC 296-400A-120 and 296-400A-121; and

~~((4)))~~ (d) Passing the competency examination.

(2) Backflow assembly maintenance and repair specialty certificate:

(a) Submitting a competency examination application to the department;

(b) Paying the application and certificate fee shown in WAC 296-400A-045(2);

(c) Submitting the required evidence of competency to the department as required by WAC 296-400A-122; and

(d) Passing the competency examination.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-025 Who approves medical gas piping installer endorsement training courses and courses offered by training providers necessary for backflow assembly maintenance and repair certification? (1) Medical gas piping installer endorsement. RCW 18.106.050 authorizes the department to:

~~((1)))~~ (a) Approve training courses for the medical gas piping installer endorsement; and

~~((2))~~ (b) Set training course fees.

(2) Backflow assembly maintenance and repair certification. RCW 18.106.040 authorizes the department to establish eligibility requirements in rule. Individuals that wish to become a certified backflow assembly maintenance and repair specialty plumber must successfully complete a course of study from a training provider approved by the department.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-026 What training course approval procedures will the department follow for medical gas piping installer endorsement and backflow assembly maintenance and repair certification? (1) Medical gas piping installer endorsement.

(a) The department will review and approve courses submitted by training course providers that offer medical gas piping systems training. Course approvals will be decided in consultation with the state advisory board of plumbers.

~~((2))~~ (b) All providers seeking course approval, must submit the required information (see (e) of this subsection ~~((5) of this section))~~ to the department at least thirty days before a regularly scheduled advisory board meeting. **No course can be offered as meeting the requirements of a medical gas endorsement until it has been approved.**

~~((3))~~ (c) All material required for approval will be reviewed without testimony and the review will be based solely upon the information submitted. Once reviewed, the department has five working days to give a provider written notification of acceptance or rejection. In the case of rejection, the department must specify its reasons.

~~((4))~~ (d) If a provider has a course rejected, it may request a hearing before the advisory board at the next regularly scheduled meeting. Any information supporting the provider's position, which was not included with the original approval request, must be submitted to the board at least twenty days before the meeting at which the hearing will be held.

At the hearing, the department and the provider may produce witnesses and give testimony. The hearing must be conducted according to chapter 34.05 RCW. The board must base its decision upon the testimony and evidence presented and must notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

~~((5))~~ (e) Specific course approval criteria:

~~((a))~~ (i) All training courses must conform to and be based upon current standards and requirements governing the installation of medical gas piping systems.

~~((b))~~ (ii) All course approval requests must include:

~~((i))~~ (A) A general description of the course, including its scope, the instructional materials to be used and the instructional methods to be followed; ~~((and~~

~~((ii))~~ (B) A copy of the complete medical gas piping installer training curriculum; ~~((and~~

~~((iii))~~ (C) A detailed course outline; ~~((and~~

~~((iv))~~ (D) The name and qualifications of the course instructor(s); ~~((and~~

~~((v))~~ (E) The locations where the course will be taught; ~~((and~~

~~((vi))~~ (F) The days and hours the course will be offered; and

~~((vii))~~ (G) The specific fees associated with the course, as well as, the total cost of the course.

~~((c))~~ ((iii)) All fees for approved training courses must be reasonable and in line with fees charged for other comparable code based training courses.

~~((f))~~ ((f)) Training courses are approved for a three-year period.

~~((g))~~ ((g)) A provider, whose courses are approved, must give the department literature describing the courses so the department can disseminate this information to prospective applicants.

~~((h))~~ ((h)) It is the responsibility of the provider to annually review and update its courses and to notify the department of any changes.

~~((i))~~ ((i)) The department may withdraw its approval of any training course if it determines the provider is no longer in compliance with the requirements of this chapter. If the department withdraws its approval of a training course, it must give the provider written notification of the withdrawal, specifying the reasons for its decision. If the department withdraws its approval of a training course, the provider may request a hearing before the advisory board at the next regularly scheduled meeting. Any information supporting the provider's position must be submitted to the board at least twenty days before the meeting at which the hearing will be held. At the hearing, the department and the provider may produce witnesses and give testimony. The hearing must be conducted according to chapter 34.05 RCW. The board must base its decision upon the testimony and evidence presented and must notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

(2) Backflow assembly maintenance and repair certification.

(a) The department will review and approve courses submitted by training course providers that offer backflow assembly maintenance and repair training. Course approvals will be decided in consultation with the state advisory board of plumbers.

(b) All providers seeking course approval, must submit the required information (see (e) of this subsection) to the department at least thirty days before a regularly scheduled advisory board meeting. No course can be offered as meeting the requirements necessary for backflow assembly maintenance and repair certification until it has been approved.

(c) All material required for approval will be reviewed without testimony and the review will be based solely upon the information submitted. Once reviewed, the department has five working days to give a provider written notification of acceptance or rejection. In the case of rejection, the department must specify its reasons.

(d) If a provider has a course rejected, it may request a hearing before the advisory board at the next regularly scheduled meeting. Any information supporting the provider's position, which was not included with the original approval request, must be submitted to the board at least twenty days before the meeting at which the hearing will be held.

At the hearing, the department and the provider may produce witnesses and give testimony. The hearing must be conducted according to chapter 34.05 RCW. The board must base its decision upon the testimony and evidence presented and must notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

(e) Specific course approval criteria:

(i) All training courses must conform to and be based upon current standards and requirements governing the maintenance and repair of backflow assemblies. To be approved by the department the training provider curriculum must at least include training in the following:

(A) Regulations associated with cross connection controls.

(B) Terminology, definitions, and acronyms associated with performing work to backflow assemblies.

(C) Components of approved backflow assemblies.

(D) Performing tests to backflow assemblies (this includes the use of test kits).

(E) Performing repairs to backflow assemblies.
(F) Cleaning and maintaining backflow assemblies.
(G) Identifying and correcting (troubleshooting) potential problems associated with backflow assemblies.
(H) General safety associated with working on backflow assemblies.
(I) Using and understanding information, manuals, specifications, and other materials provided for backflow assemblies.
(J) Completing backflow assembly test report forms required by the department of health.
(K) Ability to identify plumbing work that must be performed by an individual holding a journeyman plumber certificate.
(ii) All course approval requests must include:
(A) A general description of the course, including its scope, the instructional materials to be used and the instructional methods to be followed;
(B) A copy of the complete backflow assembly maintenance and repair training curriculum;
(C) A detailed course outline;
(D) The name and qualifications of the course instructor(s);
(E) The locations where the course will be taught;
(F) The days and hours the course will be offered; and
(G) The specific fees associated with the course, as well as, the total cost of the course.
(iii) All fees for approved training courses must be reasonable and in line with fees charged for other comparable code based training courses.
(f) Training courses are approved for a two-year period.
(g) A provider, whose courses are approved, must give the department literature describing the courses so the department can disseminate this information to prospective applicants.
(h) It is the responsibility of the provider to annually review and update its courses and to notify the department of any changes.
(i) The department may withdraw its approval of any training course if it determines the provider is no longer in compliance with the requirements of this chapter. If the department withdraws its approval of a training course, it must give the provider written notification of the withdrawal, specifying the reasons for its decision. If the department withdraws its approval of a training course, the provider may request a hearing before the advisory board at the next regularly scheduled meeting. Any information supporting the provider's position must be submitted to the board at least twenty days before the meeting at which the hearing will be held. At the hearing, the department and the provider may produce witnesses and give testimony. The hearing must be conducted according to chapter 34.05 RCW. The board must base its decision upon the testimony and evidence presented and must notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-030 Do I need a temporary permit? If you are an active out-of-state journeyman plumber residing in a state that does not have a reciprocal agreement with Washington and you would like to work as a plumber in Washington, you need a temporary permit. Temporary permits are not issued for installers of medical gas piping systems.

Temporary permits are not issued for the backflow assembly maintenance

and repair specialty. Thus, WAC 296-400A-030 through 296-400A-033 do not apply to this specialty.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-031 How do I qualify for a temporary permit? To qualify for a temporary permit, you must:

- (1) Have an active state-issued journeyman plumbers certificate; ~~((and))~~
- (2) Give the department sufficient qualifying evidence for a journeyman plumber certificate of competency; ~~((and))~~
- (3) Never have taken the journeyman competency examination in Washington state; and
- (4) Not be an apprentice plumber.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-035 How can I be placed on inactive status? To be placed on inactive status, you must meet these three requirements:

- (1) Be a currently certified plumber; ~~((and))~~
- (2) ~~((Be at least sixty-two years of age))~~ Have your inactive status request submitted and approved by the department prior to the expiration date of your plumbing certificate; and
- (3) Not be working in the plumbing trade.

Inactive status means that you are not currently working in the plumbing trade and you are not required to pay the annual certificate renewal fee. You may return to active status, without reexamination, by paying the reinstatement ~~((of a journeyman certificate))~~ fee shown in WAC 296-400A-045.

AMENDATORY SECTION (Amending WSR 99-07-101, filed 3/23/99, effective 4/23/99)

WAC 296-400A-045 What fees will I have to pay? The following are the department's plumbers fees:

- (1) Fees related to journeyman and specialty plumber certification (excluding backflow assembly maintenance and repair speciality certification):

<u>Type of Fee</u>	<u>Period Covered by Fee</u>	<u>Dollar Amount of Fee</u>
Examination application	Per examination	\$108.25
*Reciprocity application	Per application	\$108.25
Trainee certificate**	One year	\$32.50
((Trainee certificate	Less than one year	\$3.00 per month with a minimum fee of \$21.50))

Temporary permit	90 days	\$54.00
Journeyman or specialty certificate***	Two years	\$86.75
Journeyman or specialty certificate	Less than two years	\$3.50 per month with a minimum fee of \$ 32.50
Medical gas endorsement examination application****	Per application	\$40.00
Medical gas endorsement***	One year	\$30.00
Medical gas endorsement	Less than one year	\$2.50 per month with a minimum fee of \$17.50
Medical gas endorsement examination fee****		See note below.
Medical gas endorsement training course fee*****		See note below.
Reinstatement of ((a journeyman)) certificates		\$173.50
Replacement of all certificates		\$((32.50)) 15.00

* Reciprocity application is only allowed for applicants that are applying work experience toward certification that was obtained in state(s) that the department has a reciprocity agreement with.

** The trainee certificate shall expire one year from the date of issuance and be renewed on or before the date of expiration.
 *** This fee applies to either the original issuance or a renewal of a certificate. If you have passed the plumbers certificate of competency examination or the medical gas piping installer endorsement examination and paid the certificate fee, you will be issued a plumber certificate of competency or a medical gas endorsement that will expire on your birthdate.

The annual renewal of a Medical Gas Piping Installer Endorsement shall include a continuity affidavit verifying that brazing work has been performed within the past year.

**** This fee is paid directly to a nationally recognized testing agency under contract with the department. It covers the cost of preparing and administering the written competency examination and the materials necessary to conduct the practical competency examination required for the medical gas piping system installers endorsement. **This fee is not paid to the department.**

***** This fee is paid directly to a training course provider approved by the department, in consultation with the state advisory board of plumbers. It covers the cost of providing training courses required for the medical gas piping system installer endorsement. **This fee is not paid to the department.**

(2) Fees related to the backflow assembly maintenance and repair specialty certificate:

<u>Type of Fee</u>	<u>Period Covered by Fee</u>	<u>Dollar Amount of Fee</u>
<u>Examination application</u>	<u>Per examination</u>	<u>\$108.25</u>
<u>Reciprocity application**</u>	<u>Per application</u>	<u>\$40.00</u>
<u>Trainee certificate***</u>	<u>One year</u>	<u>\$32.50</u>
<u>Backflow assembly maintenance and repair specialty application</u>	<u>Per application</u>	<u>\$40.00</u>
<u>Backflow assembly maintenance and repair specialty certificate</u>	<u>Two years</u>	<u>\$60.00</u>
<u>Backflow assembly maintenance and repair specialty certificate</u>	<u>Less than two years</u>	<u>\$2.50 per month with a minimum fee of \$17.50</u>
<u>Backflow assembly maintenance and repair specialty training course fee****</u>		<u>See note below</u>
<u>Reinstatement fee</u>		<u>\$100.00</u>
<u>Replacement of certificates</u>		<u>\$15.00</u>
<u>Training provider initial approval and renewal fee</u>	<u>Per application</u>	<u>\$40.00</u>
<u>Training provider renewal fee</u>	<u>Two years</u>	<u>\$40.00</u>

- * This fee is paid directly to a training course and examination provider approved by the department, in consultation with the state advisory board of plumbers. **This fee is not paid to the department.**
- ** Reciprocity application is only allowed for applicants that are applying work experience toward certification that was obtained in state(s) that the department has a reciprocity agreement with.
- *** The trainee certificate shall expire one year from the date of issuance and be renewed on or before the date of expiration.
- **** This fee is paid directly to a training course provider approved by the department, in consultation with the state advisory board of plumbers. It covers the cost of providing training courses required for the backflow assembly maintenance and repair certificate. **This fee is not paid to the department.**

(3) If your birth year is:
 ((~~1~~)) (a) In an even-numbered year, your certificate will expire on your birthdate in the next even-numbered year.
 ((~~2~~)) (b) In an odd-numbered year, your certificate will expire on your birthdate in the next odd-numbered year.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-070 Can I work as a certified plumber in Washington without taking the Washington state plumbers' competency examination? You may be eligible to work in Washington state without taking an examination if:

- (1) You have a current plumbers certificate or license from another state; and
- (2) That state has a current reciprocal agreement with the department of labor and industries; and
- (3) You pay the reciprocity application fee and journeyman or specialty certificate fee shown in WAC 296-400A-045.

The director of labor and industries negotiates reciprocal agreements with states that have equivalent requirements for certification and licensing of journeyman and specialty plumbers. The agreement allows plumbers from those states to work in Washington and Washington-certified plumbers to work in the other state without taking competency examinations. To find out if your state has an agreement with the department, contact the plumber's certification clerk at the department's Tumwater, WA headquarters.

Reciprocity agreements cannot be used to take the Washington state competency examination instead of the examination in your home state.

(4)(a) Those actively certified by the department of health on or before July 1, 2001, as backflow assembly testers and registered as a contractor under chapter 18.27 RCW or employed by a registered contractor, may perform maintenance and repair of backflow prevention assemblies, without being a certified plumber under chapter 18.106 RCW and these rules, until January 1, 2003.

(b) After January 1, 2003, backflow assembly testers exempted under (a) of this subsection are required to meet the eligibility requirements for a specialty plumber's certificate of competency under chapter 18.106 RCW and these rules.

AMENDATORY SECTION (Amending WSR 97-11-052, filed 5/20/97, effective 6/30/97)

WAC 296-400A-100 For certification purposes, how are "years of employment" computed and documented? (1) For certification purposes, 2,000 hours of employment is considered one year. See RCW 18.106.070(2).

- (2) When you renew your certificate, you must document your previous

years' plumbing work by accurately completing the department's approved form and submitting it to the department.

(3) If you have completed a one, two, three, four or more years plumbing construction trainee program, you must have the necessary training hours for the year in which you are registered. See RCW 18.106.040.

(4) Subsections (1) through (3) of this section do not apply to the backflow assembly maintenance and repair specialty certification as years of employment are not required for this specialty. Applicants for this specialty designation are required to have fulfilled the requirements in WAC 296-400A-122 and pay the applicable fees in WAC 296-400A-045(2).

(5) Experience obtained as a backflow assembly maintenance and repair specialty may not be applied toward journeyman or specialty plumber certification.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-120 What do I need to know about plumber trainee certificates? (1) Journeyman and specialty plumber certification (excluding backflow assembly maintenance and repair specialty certification):

(a) The department issues separate trainee certificates according to the following schedule:

Certificate Year	Hours Employed As Plumber Trainee
First	Less than 2,000 hours
Second	More than 1,999 hours but less than 4,000 hours
Third	More than 3,999 hours but less than 6,000 hours
Fourth	More than 5,999 hours

~~((2))~~ (b) You may apply for the next year's trainee certificate whenever you have the required documented work hours.

~~((3))~~ You cannot be issued a training certificate for more than eight years unless the department determines that there are extenuating circumstances.

~~((4))~~ (c) If you are a trainee applying for a journeyman certificate, you must complete a minimum of two of the required four years in commercial plumbing experience.

~~((5))~~ (d) A certified specialty plumber working on a commercial job site may work as a journeyman trainee only if they have a current trainee certificate on their person while performing commercial plumbing work.

~~((6))~~ (e) On a job site, the ratio of certified plumbers to noncertified plumbers must be:

~~((a))~~ (i) One specialty plumber or journeyman working on a specialty plumbing job may supervise no more than two trainees.

~~((b))~~ (ii) One journeyman plumber working on a commercial job may supervise no more than one trainee.

~~((7))~~ (f) A plumber trainee who has a current trainee certificate with the state of Washington and has successfully completed or is enrolled in an approved medical gas piping installer training course may work on medical gas piping systems. Work may only occur when there is direct supervision by an active Washington state certified journeyman plumber with an active

medical gas piping installer endorsement issued by the department. Supervision must be one hundred percent of the working day on a one-to-one ratio.

(2) Backflow assembly maintenance and repair specialty certification.
A trainee certificate must be obtained by an individual performing backflow assembly maintenance and repair work that is not a certified plumber provided the individual works under the direct supervision of a certified backflow assembly maintenance and repair specialty, journeyman plumber, or specialty plumber for a minimum of one hundred percent of each working day.

AMENDATORY SECTION (Amending WSR 97-11-052, filed 5/20/97, effective 6/30/97)

WAC 296-400A-121 What do I need to know about trainee experience and plumber examination requirements for the journeyman and specialty plumber (excluding the backflow assembly maintenance and repair specialty)? (1) If you possess a trainee certificate:

(a) You may take the specialty plumber examination after completing 6,000 hours of documented training.

(b) You may take the journeyman examination after completing 8,000 hours of documented training which must include 4,000 hours of commercial plumbing experience.

(2) All journeyman trainees must work under the direct supervision of a journeyman plumber until they have completed 7,500 hours of training. After completing the 7,500 supervised hours, a trainee may work without direct supervision until they complete 8,000 hours. (See RCW 18.106.070(3).)

When 8,000 training hours have been completed, the trainee must take the journeyman examination. Any trainee who has failed the journeyman plumber examination cannot retake the examination for at least one month and must work under the direct supervision of a journeyman plumber until the examination is passed.

(3) To be eligible for the specialty plumber's examination, a specialty trainee must complete 6,000 hours of training under the direct supervision of either a certified specialty plumber or a journeyman plumber. Any specialty trainee who has failed the specialty examination, cannot retake the examination for at least one month and must work under the direct supervision of a certified plumber until the examination is passed.

(4) **Any applicant** (trainee, specialty plumber or journeyman) who fails an examination, will be required to wait at least one month before retaking the examination. If an applicant fails the second attempt, the waiting period for reexamination will be extended to at least two months. An applicant who fails the examination a third time will have a mandatory waiting period of at least four months.

NEW SECTION

WAC 296-400A-122 What do I need to know about trainee experience and the backflow assembly maintenance and repair specialty examination requirements? (1) A trainee certificate must be obtained by an individual performing backflow assembly maintenance and repair work that is not a certified plumber provided the individual works under the direct supervision of a certified backflow assembly maintenance and repair specialty, journeyman plumber, or specialty plumber for a minimum of one hundred percent of each working day while the backflow assembly maintenance and repair work is being performed.

(2) Each applicant for a backflow assembly maintenance and repair specialty certificate must furnish written evidence that he or she has:

(a) Met the backflow assembly tester requirements and have a valid backflow assembly tester certification administered and enforced by the department of health; and

(b) Successfully completed a course of study from a training provider approved by the department. A list of approved training providers is available from the department upon request.

(3) **Any applicant** who fails an examination, will be required to wait at least one month before retaking the examination. If an applicant fails the second attempt, the waiting period for reexamination will be extended to at least two months. An applicant who fails the examination a third time will have a mandatory waiting period of at least four months.

AMENDATORY SECTION (Amending WSR 97-11-052, filed 5/20/97, effective 6/30/97)

WAC 296-400A-130 What if I make a false statement or a material misrepresentation on an application, an employment report or a trainee certificate? (1) All required applications and annual statements of employment hours are made under oath. Making false statements and/or material misrepresentations carry serious consequences. Any person who knowingly makes a false statement or material misrepresentation on an application, an affidavit of experience or a trainee certificate may have their certificate suspended, revoked, and/or be referred to the county prosecutor for criminal prosecution. In addition, the department may subtract a maximum of 2,000 employment hours from a trainee's acceptable total hours.

(2) The department's decisions, under this section, can be appealed to the advisory board. The appeal hearing will be conducted according to the appropriate provisions of chapter 34.05 RCW.

(3) The annual statements of employment described in subsection (1) of this section do not apply to the backflow assembly maintenance and repair specialty certification.

AMENDATORY SECTION (Amending WSR 98-13-126, filed 6/17/98, effective 7/20/98)

WAC 296-400A-140 How does the department enforce plumbers certification requirements? The department enforces plumber certification requirements by means of job-site inspections conducted by department compliance inspectors. The inspector must determine whether:

(1) Each person doing plumbing work has a proper certificate on their person; and

(2) The ratio of certified specialty and/or journeyman plumbers to certified trainees is correct; and

(3) ~~((That))~~ Each certified trainee is directly supervised by either a certified specialty plumber or a certified journeyman; and

(4) ~~((That))~~ Persons who are installing medical gas piping systems have active medical gas piping installer endorsements in addition to their active plumber certification.

(5) Persons who are certified as backflow assembly maintenance and repair specialties must have an active backflow assembly tester certification from the department of health.

NEW SECTION

WAC 296-400A-430 If I am a certified backflow assembly maintenance and repair, journeyman, or specialty plumber do I need to be a registered contractor under chapter 18.27 RCW? Anyone who advertises, offers to do work, submits a bid, or performs any work under chapter 18.106 RCW and these rules must be a registered contractor under chapter 18.27 RCW, or an employee of such a registered contractor, with wages as their sole compensation.